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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,551	06/24/2003	Thomas A. Makowski	5150-80201	1235

7590 11/28/2006

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EXAMINER	
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ART UNIT	PAPER NUMBER
2192	

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/602,551	MAKOWSKI ET AL.	
	Examiner	Art Unit	
	Thuy Dao	2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 June 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 June 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/14/03, 04/08/04, 08/19/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the application filed on June 24, 2003.

2. Claims 1-42 have been examined.

Priority

3. The application claims the continuation-in-part benefit of US Patent Application No. 10/179,149 filed on June 24, 2002.

The application also claims priority under Section 119 of US Provisional Application No. 60/471,058 filed on May 16, 2003.

However, the priority date June 24, 2002 is not acknowledged. The US Patent Application 10/149,149 only briefly described "*the underlying functionality of the node*" in the specification (e.g., page 9: 2-4, page 26: 12-15, and page 29: 24-29), but does not provide full support for the claimed limitations recited, at least in independent claims 1 and 33-40, such as:

displaying a first node in a graphical program;

receiving first user input invoking display of a plurality of function type options for the first node;

displaying the plurality of function type options for the first node in response to the first user input;

receiving second user input specifying a function type from the plurality of function type options;

determining program instructions based on the second user input, wherein the determined program instructions are executable to provide functionality in accordance with the specified function type; and

associating the determined program instructions with the first node;

wherein, when the first node executes in the graphical program, the determined program instructions are operable to execute to provide the functionality in accordance with the specified function type.

Accordingly, the priority date considered for this application is May 16, 2003.

Information Disclosure Statement

4. The Office acknowledges receipt of the Information Disclosure Statement filed on October 14, 2003, April 8, 2004, and August 19, 2004. It has been placed in the application file and the information referred to therein has been considered by the examiner.

Drawings

5. The drawings are objected to because of minor informalities:

Figures 1 and 8 are too small; and

Figures 12 and 14 are too dark. The examiner respectfully requests the Applicants resubmit Figures 12 and 14 without any black or color background. Otherwise, the scanning process would make the figures dark or totally black.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

6. The disclosure is objected to because of the following informalities: in pages 1 and 16, the US Patent provisional application serial number should be added.

7. The use of the trademarks BASIC.TM., JAVA.TM., (TURBO) PASCAL.TM. ... (e.g., page 1, page 19) have been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Appropriate correction is required.

Claim Objections

8. Claims 3, 15, and 29-30 are objected to because of the following informalities:

claim 3, because lines 2-3 recite the limitation "*said changing the first node icon to a second appearance*", wherein "*said changing*" is recited in claim 2, line 1 is considered to read as - -The medium of claim [[1]] 2, - -

claims 15 and 29-30, line 1 is considered to read as - -The [[method]] medium of claim ...- -

Appropriate correction is required.

Claim Rejections – 35 USC § 101

9. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. Claims 1-30 and 33-35 are directed to a medium, which is defined to include *memory medium, carrier medium, and/or programmable hardware element* (e.g., specification, page 18: 1-4, emphasis added) and is not a tangible physical article or object, some form of matter, which a carrier medium (i.e., signal) is not.

See Annex IV (c) Electro-Magnetic Signals, Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility (signed October 26, 2005) - OG Cite: 1300 OG 142. Online version can be retrieved at <http://www.uspto.gov/web/offices/com/sol/og/2005/week47/patgupa.htm>.

Under the principles of compact prosecution, claims 1-35 and 37 have been examined as the Examiner anticipates the claims will be amended to obviate these 35 USC § 101 issues. For example, - -A computer-readable storage medium, tangibly storing executable instructions configured to perform: - -.

11. Claims 31 and 37 are directed to a carrier medium, which may include signals such as electrical, electromagnetic, or digital signals (specification, page 17, lines 18-20).

A signal is not a tangible physical article or object or some form of matter. That the other two product classes, machine and composition of matter, require physical matter is evidence that a manufacture was also intended to require physical matter. A signal, a form of energy, does not fall within either of the two definitions of manufacture. Thus, a signal does not fall within one of the four statutory classes of Sec. 101.

See Annex IV (c) Electro-Magnetic Signals, Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility (signed October 26, 2005) - OG Cite: 1300 OG 142. Online version can be retrieved at <http://www.uspto.gov/web/offices/com/sol/og/2005/week47/patgupa.htm>.

Under the principles of compact prosecution, claims have been examined as the Examiner anticipates the claims will be amended to obviate these 35 USC § 101 issues. For example, - -A computer-readable storage [[carrier]] medium which tangibly stores program instructions executable to perform: ...- -.

12. Claims 36 and 38 are rejected because the claimed invention is directed to non-statutory subject matter: "A graphic program node ...".

Claims 36 and 38 amount to functional descriptive material: "Data Structures" representing descriptive material per se or computer programs representing computer listings per se.

Data structures not claimed as embodied in computer-readable media are descriptive material per se and are not statutory because they are not capable of causing functional change in the computer. See, e.g., Warmerdam, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory). Such claimed data structures do not define any structural and functional interrelationships between the

data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory.

Similarly, computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs, are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035. Accordingly, it is important to distinguish claims that define descriptive material per se from claims that define statutory inventions.

See Annex IV (a) of Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility (signed October 26, 2005) - OG Cite: 1300 OG 142. Online version can be retrieved at <http://www.uspto.gov/ web/ offices/com/sol/og/2005/week47/patgupa.htm>.

Under the principles of compact prosecution, claims 36 and 38 have been examined as the Examiner anticipates the claims will be amended to obviate these 35 USC § 101 issues. For example, - -A graphical program node, tangibly stored in a computer-readable storage medium and having executable instructions, configured to comprise [[comprising]]: - -.

Claim Rejections – 35 USC § 102

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

14. Claims 1-42 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 6,064,812 to Parthasarathy et al. (hereinafter "Parthasarathy").

Claim 1:

Parthasarathy discloses *a computer-readable storage medium, tangibly storing executable instructions configured to perform:*

displaying a first node in a graphical program (e.g., FIG. 6c, block 98b, col.11: 36 – col.12: 36)*;*

receiving first user input invoking display of a plurality of function type options for the first node (e.g., FIG. 6c, block 116)*;*

displaying the plurality of function type options for the first node in response to the first user input (e.g., FIG. 6c, block 119)*;*

receiving second user input specifying a function type from the plurality of function type options (e.g., FIG. 6c, block 106b)*;*

determining program instructions based on the second user input, wherein the determined program instructions are executable to provide functionality in accordance with the specified function type (e.g., FIG. 6c, blocks 122-124)*; and*

associating the determined program instructions with the first node (e.g., FIG. 6c, blocks 124-126)*;*

wherein, when the first node executes in the graphical program, the determined program instructions are operable to execute to provide the functionality in accordance with the specified function type (e.g., FIG. 6c, block 128).

Claim 2:

The rejection of claim 1 is incorporated. Parthasarathy also discloses *the first node has a first node icon which is displayed in the graphical program, wherein the first node icon has a first appearance; wherein the medium is further configured to perform: changing the first node icon to a second appearance based on the second user input*

(e.g., FIG. 12, first node icon as Application/Property and FIG. 13, second node icon as Application/Visible, based on the second user input, col.17: 3-43).

Claim 3:

The rejection of claim 2 is incorporated. Parthasarathy also discloses *said changing the first node icon to a second appearance comprises replacing the first node icon with a second node icon* (e.g., col.17: 3-43).

Claim 4:

The rejection of claim 1 is incorporated. Parthasarathy also discloses *prior to said associating the determined program instructions with the first node, the first node does not have any associated program instructions* (e.g., FIG. 6c, block 98b, new automation invoke node, col.11: 36 – col.12: 36).

Claim 5:

The rejection of claim 1 is incorporated. Parthasarathy also discloses:

prior to said associating the determined program instructions with the first node, the first node is of a default function type of the plurality of function type options, wherein the first node has associated default program instructions in accordance with the default function type, and the wherein the default program instructions implement a first functionality (e.g., col.21: 30-37); *and*

wherein said associating the determined program instructions with the first node comprises replacing the default program instructions with the determined program instructions (e.g., FIG. 6c, block 106b).

Claim 6:

The rejection of claim 1 is incorporated. Parthasarathy also discloses:

said receiving first user input comprises receiving the first user input to the first node (e.g., FIG. 6c, block 116, col.11: 36 – col.12: 36); *and*

wherein said receiving second user input comprises receiving the second user input to the first node (e.g., FIG. 6c, block 106b).

Claim 7:

The rejection of claim 1 is incorporated. Parthasarathy also discloses *prior to said associating, the first node comprises one of:*

a generic read node (e.g., FIG. 6b, block 98a, col.11: 36 – col.12: 36);

a generic write node (e.g., FIG. 6c, block 98b)*; and*

a generic channel creation node (e.g., FIG. 6a, block 94).

Claim 8:

The rejection of claim 7 is incorporated. Parthasarathy also discloses *after said associating, the first node comprises one of: a specific read node in accordance with the specified function type; a specific write node in accordance with the specified function type; and a specific channel creation node in accordance with the specified function type* (e.g., col.11: 36 – col.12: 36).

Claim 9:

The rejection of claim 1 is incorporated. Parthasarathy also discloses *prior to said associating, the first node comprises one of:*

a generic timing node (e.g., col.15: 64 – col.16: 20, edit-time and run-time automation node)*; and*

a generic triggering node (e.g., col.11: 61 – col.12: 20, automation invoke node).

Claim 10:

The rejection of claim 9 is incorporated. Parthasarathy also discloses *after said associating, the first node comprises one of: a specific timing node in accordance with the specified function type; and a specific triggering node in accordance with the specified function type* (e.g., col.15: 64 – col.16: 20; col.11: 61 – col.12: 20).

Claim 11:

The rejection of claim 1 is incorporated. Parthasarathy also discloses *prior to said associating, the first node comprises a generic read node; and wherein, after said associating, the first node comprises a specific read node in accordance with the specified function type* (e.g., FIG. 6b, col.11: 36 – col.12: 36).

Claim 12:

The rejection of claim 1 is incorporated. Parthasarathy also discloses *prior to said associating, the first node comprises a generic write node; and wherein, after said associating the first node comprises a specific write node in accordance with the specified function type* (e.g., FIG. 6c, col.11: 36 – col.12: 36).

Claim 13:

The rejection of claim 1 is incorporated. Parthasarathy also discloses *prior to said associating, the first node comprises a generic channel creation node; and wherein, after said associating the first node comprises a specific channel creation node in accordance with the specified function type* (e.g., FIG. 6a, col.11: 36 – col.12: 36).

Claim 14:

The rejection of claim 1 is incorporated. Parthasarathy also discloses *determining a second node based on the specified function type, wherein the second node comprises the determined program instructions; wherein said associating the determined program instructions with the first node comprises: replacing the first node in the graphical program with the second node, wherein the second node is operable to provide functionality for the graphical program in accordance with the specified function type* (e.g., FIG. 12, Application/Property, col.17: 3 - 22; FIG. 17, Application/ Workbook, col.20: 23-40).

Claim 15:

The rejection of claim 14 is incorporated. Parthasarathy also discloses *the first node comprises a first node icon, and wherein said displaying the first node comprises displaying the first node icon* (e.g., FIG. 4, col.9: 37-49).

Claim 16:

The rejection of claim 15 is incorporated. Parthasarathy also discloses *the second node comprises: the first node icon; and the determined program instructions* (e.g., FIG. 14, col.17: 52 – col.18: 41).

Claim 17:

The rejection of claim 15 is incorporated. Parthasarathy also discloses *the second node comprises: a second node icon; and the determined program instructions* (e.g., FIG. 15, col.18: 61 – col.19: 8).

Claim 18:

The rejection of claim 14 is incorporated. Parthasarathy also discloses *the second node is polymorphic* (e.g., FIG.12 and 13, col.17: 3 - 51).

Claim 19:

The rejection of claim 14 is incorporated. Parthasarathy also discloses *the second node is function type-switchable* (e.g., FIG. 15, col.18: 61 – col.19: 8).

Claim 20:

The rejection of claim 14 is incorporated. Parthasarathy also discloses:

the first node comprises one of: a generic read node; a generic write node; and a generic channel creation node; and the second node comprises one of: a specific read node in accordance with the specified function type; a specific write node in accordance with the specified function type; and a specific channel creation node in accordance with the specified function type (e.g., col.11: 36 – col.12: 36).

Claim 21:

The rejection of claim 14 is incorporated. Parthasarathy also discloses *the first node comprises one of: a generic timing node; and a generic triggering node; and wherein the second node comprises one of: a specific timing node in accordance with*

the specified function type; and a specific triggering node in accordance with the specified function type (e.g., col.11: 36 – col.12: 36).

Claim 22:

The rejection of claim 14 is incorporated. Parthasarathy also discloses *the first node comprises a generic read node; and wherein the second node comprises a specific read node in accordance with the specified function type* (e.g., FIG. 6b, col.11: 36 – col.12: 36).

Claim 23:

The rejection of claim 14 is incorporated. Parthasarathy also discloses *the first node comprises a generic write node; and wherein the second node comprises a specific write node in accordance with the specified function type* (e.g., FIG. 6c, col.11: 36 – col.12: 36).

Claim 24:

The rejection of claim 14 is incorporated. Parthasarathy also discloses *the first node comprises a generic channel creation node; and wherein the second node comprises a specific channel creation node in accordance with the specified function type* (e.g., FIG. 6a, col.11: 36 – col.12: 36).

Claim 25:

The rejection of claim 14 is incorporated. Parthasarathy also discloses *the first node comprises a generic timing node; and wherein the second node comprises a specific timing node in accordance with the specified function type* (e.g., col.15; 64 – col.16: 20).

Claim 26:

The rejection of claim 14 is incorporated. Parthasarathy also discloses *the first node comprises a generic triggering node; and wherein the second node comprises a*

specific triggering node in accordance with the specified function type (e.g., col.11: 61 – col.12: 20).

Claim 27:

The rejection of claim 1 is incorporated. Parthasarathy also discloses *the first node is polymorphic* (e.g., col.17: 3-51).

Claim 28:

The rejection of claim 1 is incorporated. Parthasarathy also discloses *the first node is function type-switchable* (e.g., col.18: 61 – col.19: 8).

Claim 29:

The rejection of claim 1 is incorporated. Parthasarathy also discloses *the first node is function class-switchable* (e.g., col.18: 61 – col.19: 8).

Claim 30:

The rejection of claim 1 is incorporated. Parthasarathy also discloses *receiving user input selecting the first node, wherein said displaying the first node in the graphical program is performed in response to said receiving user input selecting the first node* (e.g., col.9: 37-49).

Claim 32:

The rejection of claim 1 is incorporated. Parthasarathy also discloses *a programmable hardware element* (e.g., col.8: 28-43).

Claim 33:

Claims 33 is a read node version (e.g., FIG. 6b, property node), which recite the same limitations as those of a generic node claim 1, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 33.

Claim 34:

Claims 34 is a write node version (e.g., FIG. 6c, automation invoke node), which recite the same limitations as those of a generic node claim 1, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 34.

Claim 35:

Claims 35 is a channel creation node version (e.g., FIG. 6a, automation class refnum node), which recite the same limitations as those of a generic node claim 1, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 35.

Claim 36:

Parthasarathy discloses *a graphical program node, tangibly stored in a computer-readable storage medium and having executable instructions, configured to comprise:*

a node icon operable to be displayed on a display (e.g., FIG. 6c, block 98b, col.11: 36 – col.12: 36)*; and*

first program instructions associated with the node icon (e.g., FIG. 6c, block 116)*, wherein the first program instructions are executable to implement:*

displaying a plurality of function type options for the first node in response to received user input (e.g., FIG. 6c, blocks 116-119)*; and*

configuring the graphical program node with second program instructions, wherein the second program instructions are based on second user input to the first node specifying a function type from the plurality of function type options (e.g., FIG. 6c, blocks 106b, 122-126)*;*

wherein, after said configuring, the graphical program node is executable in a graphical program to perform a specific functionality in accordance with the specified function type (e.g., FIG. 6c, blocks 124-128).

Claim 37:

Claim 37 is a computer-readable memory storage version, which recites the same limitations as those of claim 14, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 37.

Claim 38:

Parthasarathy discloses *a graphical program node, tangibly stored in a computer-readable storage medium and having executable instructions, configured to comprise:*

a node icon operable to be displayed on a display; first program instructions associated with the node icon (e.g., FIG. 6c, block 98b, col.11: 36 – col.12: 36), *wherein*

the first program instructions are executable to implement: displaying a plurality of function type options for the first node in response to received user input (e.g., FIG. 6c, block 116);

selecting second program instructions based on second user input to the first node specifying a function type from the plurality of function type options (e.g., FIG. 6c, blocks 116-119),

wherein the second program instructions implement a functionality in accordance with the specified function type (e.g., FIG. 6c, blocks 106b, 122-126); *and*

associating the second program instructions with the node icon; wherein, after said associating, the graphical program node is executable in a graphical program to perform the functionality (e.g., FIG. 6c, blocks 124-128).

Claim 39:

Claim 39 is a system version, which recites the same limitations as those of claim 1, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 39.

Claim 40:

Claim 40 is a method version, which recites the same limitations as those of claim 1, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 40.

Claims 41 and 42:

The rejection of claim 40 is incorporated. Claims 41 and 42 are method version, which recite the same limitations as those of claims 7 and 27, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claims, it also teaches all of the limitations of claims 41 and 42.

14. Claims 1 and 33-40 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent Publication No. 2001/0024211 A1 to Kudukoli et al. (hereinafter "Kudukoli").

Claim 1:

Kudukoli discloses *a computer-readable storage medium, tangibly storing executable instructions configured to perform:*

displaying a first node in a graphical program (e.g., FIG. 6, block 300, page 13: [0136-0138]);

receiving first user input invoking display of a plurality of function type options for the first node (e.g., FIG. 6, block 302, page 13: [0139]);

displaying the plurality of function type options for the first node in response to the first user input (e.g., FIG. 6, block 304, page 13: [0140]);

receiving second user input specifying a function type from the plurality of function type options (e.g., FIG. 6, block 304-306, page 13: [0140-0141]);

determining program instructions based on the second user input, wherein the determined program instructions are executable to provide functionality in accordance with the specified function type (e.g., FIG. 6, block 306, page 14: [0141]); *and*

associating the determined program instructions with the first node (e.g., FIG. 6, block 306-308, page 14: [0141-0142]);

wherein, when the first node executes in the graphical program, the determined program instructions are operable to execute to provide the functionality in accordance with the specified function type (e.g., FIG. 6, block 308, page 14: [0143-0144]).

Claim 33:

Claims 33 is a read node version (e.g., FIG. 18, property node, page 19: [0249-0264]), which recite the same limitations as those of a generic node claim 1, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 33.

Claim 34:

Claims 34 is a write node version (e.g., FIG. 19, automation invoke node, page 19: [0258-0264]), which recite the same limitations as those of a generic node claim 1, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 34.

Claim 35:

Claims 35 is a channel creation node version (e.g., FIGs. 10 and 11, VI Reference node, page 16: [0173-0194], page 17: [0195-0203]), which recite the same limitations as those of a generic node claim 1, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 35.

Claim 36:

Kudukoli discloses *a graphical program node, tangibly stored in a computer-readable storage medium and having executable instructions, configured to comprise:*

a node icon operable to be displayed on a display (e.g., FIG. 6, blocks 300-302, page 13: [0136-0139])*; and*

first program instructions associated with the node icon (e.g., FIG. 6, block 304, page 13: [0140])*, wherein the first program instructions are executable to implement:*

displaying a plurality of function type options for the first node in response to received user input (e.g., FIG. 6, blocks 304-306, page 13: [0140-0141])*; and*

configuring the graphical program node with second program instructions, wherein the second program instructions are based on second user input to the first node specifying a function type from the plurality of function type options (e.g., FIG. 6, blocks 306-308, page 14: [0141-0142])*;*

wherein, after said configuring, the graphical program node is executable in a graphical program to perform a specific functionality in accordance with the specified function type (e.g., FIG. 6, blocks 308, page 14: [0143-0144]).

Claim 37:

Claim 37 is a computer-readable storage medium version, which recites the same limitations as those of claim 14, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 37.

Claim 38:

Kudukoli discloses *a graphical program node, tangibly stored in a computer-readable storage medium and having executable instructions, configured to comprise:*

a node icon operable to be displayed on a display; first program instructions associated with the node icon (e.g., FIG. 6, blocks 300-302, page 13: [0136-0139])*, wherein*

the first program instructions are executable to implement: displaying a plurality of function type options for the first node in response to received user input (e.g., FIG. 6, block 304, page 13: [0140])*;*

selecting second program instructions based on second user input to the first node specifying a function type from the plurality of function type options (e.g., FIG. 6, blocks 304-306, page 13: [0140-0141]),

wherein the second program instructions implement a functionality in accordance with the specified function type (e.g., FIG. 6, blocks 306-308, page 14: [0141-0142]); *and*

associating the second program instructions with the node icon; wherein, after said associating, the graphical program node is executable in a graphical program to perform the functionality (e.g., FIG. 6, blocks 308, page 14: [0143-0144]).

Claim 39:

Claim 39 is a system version, which recites the same limitations as those of claim 1, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 39.

Claim 40:

Claim 40 is a method version, which recites the same limitations as those of claim 1, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 40.

Conclusion

15. Any inquiry concerning this communication should be directed to examiner Thuy Dao (Twee), whose telephone is (571) 272 8570. The examiner can normally be reached on Monday – Friday from 6:30AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam, can be reached at (571) 272 3695.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273 8300.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is (571) 272 2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Dao

TUAN DAM
SUPERVISORY PATENT EXAMINER